

PB# 79-5

Exxon

Eppon Site Plan 79-5

approved 6/13/79 JH
filed with T.C. 6/18/79 JH



Oxford Pendaflex

STOCK No 753113

GENERAL RECEIPT

4044

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

RECEIVED OF Rider-Rhake, Weiner (Eppon) June 18 19 78
Seventy-five and 00/100 \$ 75.00
FOR Site Plan # 179-5 DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
75.00		
Ch.		

BY

Pauline C. Townsend pm

Town Clerk

TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

GENERAL RECEIPT

3990

TOWN OF NEW WINDSOR



Oxford Pendaflex

STOCK No 7531/3

GENERAL RECEIPT

4044

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

RECEIVED OF Rider-Rhake Weiner (Eppon) June 18 19 78
Seventy-five and 00/100 \$ 75.00
FOR Site Plan # 179-5 DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>75.00</u>		
<u>Ch.</u>		

BY Pauline C. Townsend cm
Town Clerk
TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

GENERAL RECEIPT

3990

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

RECEIVED OF Eppon Co. Apr 20 19 79
Twenty-five and 00/100 \$ 25.00
FOR Application Fee DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>25.00</u>		
<u>Ch.</u>		

BY Charlotte Marcantonio
reputy
TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, APRIL 11, 1979 7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN ERNEST SPIGNARDO, LAWRENCE JONES, JOSEPH LOSCALZO, HENRY VAN LEEUWEN, JOSEPH CIMORELLI, PHILIP INFANTE, AND JAMES McCABE.

OTHERS PRESENT: PHILIP CROTTY JR., PLANNING BOARD ATTY.
PAUL V. CUOMO, TOWN ENGINEER.
HOWARD COLLETT, BUILDING & ZONING INSPECTOR.
SHIRLEY B. HASSDENTEUFEL, RECORDING SECRETARY.

tape#178

Chairman Spignardo called the meeting to order and presided over same.

1 on the Agenda:

Dunkin Donuts Site Plan
Located on Temple Hill Road and Rt. 94
Represented by Mr. Elias Grevas

Mr. Grevas: Mr. Chairman, we have not yet heard from the County.

Chairman Spignardo: The County is opposed to any additional entrance coming out on a County highway. They would like to see it coming out of Shopping Center entrance.

Chairman Spignardo read a letter from Charles Satterly, who is the owner of the property adjoining. Mr. Satterly is not interested in selling the property but would lease the property.

Chairman Spignardo stated that the County had also mentioned the drainage.

Mr. Grevas: We have discussed this.
We have not heard from the State also.
If at all possible we would like to use the Satterly property as a secondary entrance. The Planning Board can decide if the lease is in order.
Could we please be on the next agenda?

2 on the Agenda:

Exxon Site Plan #79-5
River Road
Represented by Mr. T.M. Brikelmair

Mr. Brikelmair: The application is being made to the DEC.

We are expanding. I would like to explain to the Board.
Discussion followed.

Motion by Mr. Van Leeuwen seconded by Mr. McCabe that the Planning Board of the Town of New Windsor give the site plans of Exxon #79-5 to the Town Engineer, Fire Inspector and the Fire Prevention Code Bureau.

Roll call: Jones-yes Loscalzo-yes
Infante-yes Van Leeuwen -yes
McCabe-yes Cimorelli-yes
Spignardo-yes

Motion carried 7 ayes, no nays.

BUTTERHILL SUBDIVISION
ROUTE 94
REPRESENTED BY MR. LYDECKER

Mr. Lydecker: I am here about the Bond for Butter Hill. I am asking if you would require the performance bond before issuing CO's rather than now.

Mr. Loscalzo: The Bond is there to protect the Town. To make sure roads, water, sewer and other utilities are complete.

Mr. Lydecker: We have paid the Town inspection fee.

Mr. Loscalzo: We require a Bond that will take over if you decided not to build.

Mr. Lydecker: I am suggesting to get Bond before the Certificate of Occupancy, that is all.

Mr. Infante: How much time are you asking for?

Mr. Lydecker: About four (4) months, until we are ready for a CO. We could get the Bond then. I would like to defer it.

Atty. Crotty explained to the Board that they (ButterHill) would put the Bond up by the time the first CO is to be issued. He stated that Bonds were very hard to come by.

Mr. Loscalzo: I disagree. We should have the Bond by Final Approval.

Mr. Lydecker: We did pay the Inspection fees. Insurance is going so high.

Atty. Crotty read from the Town Code Book (6124) re: Alternative Escrow Account held by the Town. I feel that it is better to have cash than go into the Courts under litigation.

Mr. Lydecker: We are faced with high costs.

Chairman Spignardo: How long to erect now?

Mr. Lydecker: Ninety to one hundred (90 to 100) days.

Chairman Spignardo: Have you seen this Paul?

Mr. Cuomo: Yes.

Mr. Jones: Bonds are for the protection of the people of this Town.

Mr. Loscalzo: It will cost you \$35,000 now or four (4) months from now for that Bond.

Chairman Spignardo read a memo from the Town Engineer dated 4/2/79 re: Recomputation - Engineering Inspection Fee for Butter Hill Subdivision. Due to Local Law No. 1 Engineering Inspection fee recomputed and is \$5,611.60. Old figure was \$7,223.20.

As of this date no Bond has been received in the amount of \$180,500.

Mr. Krom: When we came with the initial plans the Bonding Company and the Banks had different rules. There is only one (1) Bonding Company now. We are telling you of hardship that we have with the Bonding Company. We have given money to Central Hudson Gas & Electric Company. We are trying to do a reasonable job.

Chairman Spignardo: We have two (2) alternatives. Stick with the Bond or use the alternative that Phil spoke about.

Atty. Crotty: You have the Bond or cash. He is asking for a delay of 3 or 4 months.

Discussion followed.

Mr. Jones: You had approval several months ago. How many?

Mr. Lydecker: Seven or eight (7 or 8).

Mr. Jones: No Bond is in effect. This is not fair to the Town. You never got the Bond up until this time and you are asking for a reduction.

Discussion.

Chairman Spignardo: Mr. Lydecker has withdrawn his request. Paul, will you work on this to make sure the Bond is received.

Mr. Cuomo: Yes.

April 11, 1979

Correspondence

page 4.

Hearing no objections a letter dated March 23, 1979 from the residents of Keats Drive between Frost and Browning with signatures asking that no sidewalks be installed on Keats between Frost Lane southerly direction to Bennett (Browning). Discussion followed. The Planning Board agreed and referred this to Town Engineer.

Hearing no objections a copy of a letter dated April 5, 1979 from Atty. Fred Gardner re: Sambo Restaurant. Savings Books and a Certified Check for \$22,000 placed in Escrow. This letter was recorded received and filed.

Hearing no objections a Memo dated April 10, 1979 re: Dunkin Donuts Site Plan from Engineer Cuomo stating he had reviewed the site plan and in respect to drainage and curb cuts recommend approval by the Planning Board. This was recorded received and filed.

Hearing no objections a copy of the Building & Zoning Inspector's Report of Building Permits issued for March 1979 was received and filed.

Hearing no objections a letter from the Orange County Clerk's Office dated April 5, 1979 stating the Catherine Acres Subdivision was filed in the County Clerk's Office on March 19, 1979 as Map #4851 in Pocket 15 Folder A. This was recorded received and filed.

Minutes

Motion by Mr. Loscalzo seconded by Mr. Jones that the minutes of the March 28, 1979 meeting be approved as read.

Roll call - Jones-aye	Loscalzo-aye
Infante-aye	Van Leeuwen-aye
McCabe-aye	Cimorelli-aye

Spignardo-aye

Motion carried 7 ayes, no nays. Minutes approved

Adjournment

Motion by Mr. Van Leeuwen seconded by Mr. Infante that the Planning Board of the Town of New Windsor adjourn the meeting of April 11, 1979.

Roll call- All ayes, Motion carried. Meeting adjourned 9:45 P.M.

Respectfully submitted,

Shirley B. Hassdenteufel

SHIRLEY B. HASSDENTEUFEL
Recording Secretary



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

RECEIVED

MAY 23 1979

NEW WINDSOR PLANNING BOARD

May 21, 1979

Rider, Drake, Weiner & Loeb P. C.
P. O. Box 991
Newburgh, N. Y. 12550

Attn: Stephen Reineke, Esq.

RE: EXXON COMPANY, U.S.A.
Application #79-8

Dear Steve:

This is to confirm that the area variances and special permit applied for by EXXON COMPANY USA, have been granted at the May 14, 1979 meeting of the Zoning Board of Appeals.

We expect that the formal decision will be drafted within the next few weeks and will be acted upon at an upcoming meeting of the ZBA.

It is always a pleasure to do business with you and Jim Loeb.

Very truly yours,

Patricia Delio

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Howard Collett, Bldg./Zoning Inspector
Town of New Windsor
Planning Board - Town of New Windsor

NEW WINDSOR PLANNING BOARD MEETING
TOWN HALL
WEDNESDAY, MAY 23, 1979 7:30 P.M.

BOARD MEMBERS PRESENT: CHAIRMAN ERNEST SPIGNARDO, LAWRENCE JONES, HENRY VAN LEEUWEN, JOSEPH LOSCALZO, AND PHILIP INFANTE.

BOARD MEMBERS ABSENT: JOSEPH CIMORELLI AND JAMES McCABE.

OTHERS PRESENT: PHILIP CROTTY JR., PLANNING BOARD ATTY. PAUL V. CUOMO, TOWN ENGINEER, HOWARD COLLETT, BUILDING & ZONING INSPECTOR, AND SHIRLEY B. HASSDETNEUFEL, RECORDING SECRETARY.

tape 180

Chairman Spignardo called the meeting to order and presided over same.

#1 on the Agenda:

EXXON SITE PLAN
Located on River Road
Represented by Atty. Stephen Reneke.

Atty. Reneke: Basically this is a two (2) part application. We had submitted a detailed plan earlier. The work is replacement. Section 6-17 Enviromental - Type Two Action. We want to replace loading docks. There will be a new office building.

Atty. Crotty showed the Enviromental Regulations to the Board and to Mr. Reneke. He then explained it to the Board.

In Mr. Crotty's opinion the Action is Type Two.

Mr. Jones asked about drainage.

Atty. Reneke explained.

Chairman Spignardo stated that Mr. Cuomo would have to check this out.

Motion by Mr. Van Leeuwen seconded by Mr. Loscalzo that the Planning Board of the Town of New Windsor send the plans of Exxon Site to the Town Engineer and the Fire Bureau for their review and written comments.

Roll call: Jones:yes Loscalzo: yes
 Infante:yes Spignardo:yes.
 Van Leeuwen:yes

Motion carried, 5 ayes, no nays.

RECEIVED
JUN 13 1979

NEW WINDSOR PLANNING BOARD

To: Mr. Ernest Spignardo, Chairman
Planning Board

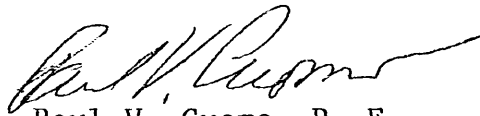
Subject: Exxon Final Site Plans

Date: June 13, 1979

From: Paul V. Cuomo, P. E.
Town Engineer

I have reviewed a series of subject site plans and have found drawings numbered 1 and 2, 6-1-79, in regards to drainage, sewerage, water and guard rail configuration satisfactory, and recommend approval by the Planning Board.

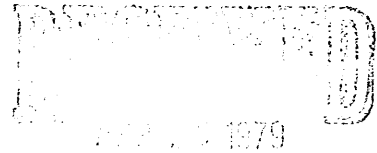
Engineering site plan fee is \$100.00.


Paul V. Cuomo, P. E.
Town Engineer

PVC/mfb

INTER-OFFICE CORRESPONDENCE

TO: New Windsor Planning Board
FROM: Fire Inspector
SUBJECT: Exxon Site Plan
DATE: 18 April 1979



NEW WINDSOR PLANNING BOARD

A meeting of the Bureau of Fire Prevention was held last evening at which the Bureau reviewed the aforesaid site plan.

We would like to recommend that where the pipes are exposed next to River Road, that a barricade be erected in order to protect the pipes on both side of the road.

The reason for this protection is that last year there was an automobile accident and the vehicle came to rest one (1) foot from the exposed pipes on the west side of River Road. This area has frequent motor vehicle accidents. I don't think I have to explain what could have happened had the automobile severed the pipes.

Respectfully,

Robert F. Rodgers

11

RIDER, DRAKE, WEINER & LOEB, P.C.
ATTORNEYS & COUNSELLORS AT LAW

ELLIOTT M. WEINER
JAMES R. LOEB
RICHARD J. DRAKE
DAVID L. RIDER
DAVID L. LEVINSON
STEPHEN L. REINEKE

STEVEN L. TARSHIS
TIMOTHY J. AHEARN

May 8, 1979

Re: Our File: 18,267

*5/9/79
Hand delivered
PACN*

M.J. RIDER (1906-1968)

427 LITTLE BRITAIN ROAD
POST OFFICE BOX 991
NEWBURGH, NEW YORK 12550
TEL. (914) 562-8700

JULIUS LARKIN HOYT
OF COUNSEL

Planning Board, Town of New Windsor
Town Hall - Union Avenue
New Windsor, NY 12550

Dear Board Members:

I am writing to you on behalf of Exxon Company USA in order to assist the Board in its review of the request by Exxon for approvals to replace a portion of its existing terminal facility on River Road in the Town of New Windsor with a more modern facility. The applicant has prepared the attached narrative describing the proposed project with particular reference to the role of the Board as the lead agency under the State Environmental Quality Review Act (SEQR).

*5/23/79
SEQR regulations of
11/1/78 examined. Project
determined by me to be
Type II and not
need CIS.*

*Arrived
TPB on
5/23/79.
Reg
concur.
PACN*

In reviewing the regulations implementing SEQR, it is clear that this project is not a Type I action. I believe that the project is properly classified as a Type II action. Section 617.13(d)(1) lists as a Type II action the replacement of a facility in kind on the same site unless such facility meets any of the thresholds set forth in Section 617.12. The Exxon project does not reach any of the threshold requirements set forth in 617.12(6) which pertain to construction of non-residential facilities in that the Exxon project does not involve the physical alteration of ten acres; the project does not use ground or surface water in excess of 2 million gallons per day; the project does not involve parking for 1,000 vehicles; and the project does not involve a facility with more than 100,000 square feet of gross floor area. In addition the Exxon project does not exceed any of the other listed thresholds in 617.12 which pertain to non-residential facilities.

After the Board reviews the narrative submitted with this letter, I believe that you will be able to conclude without question that this proposal will not have a significant adverse effect on the environment. On the contrary, I believe that you will find that the Exxon proposal will enhance environmental quality as a result of the modernization planned as part of the project. Even if the project were classified as unlisted rather than Type II, the applicant believes that the environmental benefits of this proposal obviate the need for any further administrative review.

Very truly yours,

RIDER, DRAKE, WEINER & LOEB, P.C.

15/
James R. Loeb

JRL/cm

CC. P. Croth

EXXON COMPANY, U.S.A.

New Windsor Terminal
Modernization Project

May 1979

CURRENT STATUS

Presently, Exxon owns and operates a petroleum marketing terminal in New Windsor, N.Y. The facility is used to store and distribute so-called "clean" petroleum products: motor fuel (gasoline) and heating oils.

Product is shipped to the terminal via barges and loaded over an Exxon-owned dock into the storage tanks. Product is then distributed from the terminal by tank truck.

Currently, the twenty-two acre site includes approximately six acres of developed land. This land is occupied by storage tanks, an office building and product-dispensing equipment.

PROPOSED ACTIONS

The modernization of this facility includes a variety of actions which are designed to improve the efficiency of operations, enhance environmental quality and upgrade equipment at this facility. Specifically, Exxon will:

Replace the existing top-loading designed loading rack with a new facility equipped with two bottom loading positions for gasoline transfers.

Construct a new 20,000 barrel floating roof tank for motor fuel storage on the location of a previously removed 10,000 barrel tank.

Install conservation pans (floating roofs) in two storage tanks containing motor fuel. This action will reduce hydrocarbon emissions from the facility by 115 tons per year.

Convert a cone roof tank from motor fuel to home heating oil service. This action will reduce hydrocarbon emissions from this source by 205 tons per year.

Demolish and rebuild the existing office complex.

Install an accessory structure to house computer software to permit centralized billing of all transactions.

Upgrade and improve the current tank dikefield configuration.

Re-design the facility's stormwater retention and treatment system to consolidate the existing discharge points into one fully controlled discharge from a new retention pond.

These proposed actions will require the development of approximately one and one-half acres of land. This will increase the total developed land on the twenty-two acre site from six acres to approximately seven and one-half acres.

AIR QUALITY

Currently, hydrocarbon emissions from this facility emanate from the following sources:

Loading rack operations

Barge unloading operations

Storage tanks.

The replacement of the existing loading rack will not materially change the emissions from this operation. When the State's proposed vapor recovery regulation becomes effective, Exxon will be able to install an efficient unit to recover some 90% of the emissions now vented to the atmosphere.

Barge unloading operations will not be directly affected by the modernization project. However, emissions from storage tanks during barge unloading operations will be significantly reduced.

The modernization project will significantly reduce emissions from the facility's storage tanks. Three existing tanks will be affected by the modernization project and one new floating roof storage tank will be constructed on the site of a previously removed tank. As a result of these actions, total emissions from the storage of product will be reduced by approximately 90%.

WATER QUALITY

Currently, Exxon discharges stormwater runoff from the New Windsor terminal pursuant to a federally issued National Pollution Discharge Elimination System Permit (NPDES). There are three discrete discharge points at the terminal. (See attached plot plan.) In accordance with state and federal law, Exxon has applied for a State Pollution Discharge Elimination System Permit (SPDES) prior to the expiration of the federal permit.

Presently, Exxon's primary discharge is a gravity flow system treated by a 3,000 gallon oil water separator. Accumulated stormwater from the two dikefield outfalls is discharged in accordance with EPA's proposed Best Management Practices.

The proposed reconstruction of the system will consolidate the three existing discharges into one fully controlled discharge. Stormwater currently discharged through the three outfalls will flow into a new retention pond. Storm water discharges from the retention pond will only occur when there is excessive rainfall or when sufficient surface water accumulates to necessitate such action.

The installation of this system will improve the quality of the facility's stormwater and surface water discharge.

CONCLUSION

In summary, the proposed modernization of Exxon's New Windsor facility will improve air and water quality. The proposed action will not alter or affect environmentally sensitive areas, nor will it encroach upon the habitat of any threatened or endangered species.

The proposed action will take place in an industrially zoned area which does not include any unique or historically significant areas of the community. This project is a replacement in kind of a current use which will not have any material effect upon patterns of land use in the immediate vicinity. Additionally, this action by itself will not create any downstream demands for development or services which the community must provide.

In view of these facts, Exxon believes that this project should be classified a Type II action and need not be reviewed further pursuant to the State Environmental Quality Review Act. Exxon respectfully requests that the Board determine that this proposed action does not have any significant effect upon the environment.

GENERAL RECEIPT

3990

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

RECEIVED OF

E. J. Hays Co.

Apr 20

19 *79*

\$ *25.00*

FOR

Twenty-five hundred and no/100

DOLLARS

Application Fee

CONTRIBUTION:

FUND	CODE	AMOUNT
<i>35.00</i>		

BY

Charlotte M. Montenegro

Deputy

TITLE

Whitcomb-Lee Book Co., Baltimore, N. Y. 12550

TOWN OF NEW WINDSOR PLANNING BOARD

APPLICATION FOR SITE PLAN APPROVAL

RECEIVED
APR 2 1979

Name EXXON CO. U.S.A.

Address HUTCHINSON RIVER PKY, PELHAM, NEW YORK 10803

1. Owner of the property YES.

2. Location of the property: TRIVER ROAD
NEW WINDSOR, NEW YORK

3. Zone area P-1

4. Nature of business: BULK PLANT FUEL TERMINAL

5. Lot size: Front _____ Rear _____ Depth _____

6. Building setbacks: Front yard _____ Rear yard _____

Side yards _____

7. Dimensions of new ^{OFFICE} building 35' x 60', LOADING RACK CANOPY 50' x 80'
Addition 20 MB GASOLINE STORAGE TANK. (60' DIA. 40' HEIGHT)
+ TERMINAL MODERNIZATION.

If addition, state front, side, rear of existing structure:

I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expense for advertising of Public Hearing or meetings will be paid. Also, any legal or engineering fees for review of this project.

APR 11 1964
Rk

Signed: A. M. Buckelmaier PLANT/STAFF
(APPLICANT) ENGINEER.

(914) 738-4700

Maps Required for:

File Insp
Planning Board
Highway Dept.
Sanitation Dept.
Water Dept.
County Planning Board
Building Inspector

File Bureau
Action of the Zoning Board of Appeals required ✓



CHARLES E. WARD, INC.
ENGINEERS AND SURVEYORS
171 GREAT NECK ROAD
GREAT NECK, NEW YORK 11021

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
NORTHEASTERN REGION
HUTCHINSON RIVER PARKWAY PELHAM, N. Y. 10803

SITE PLAN

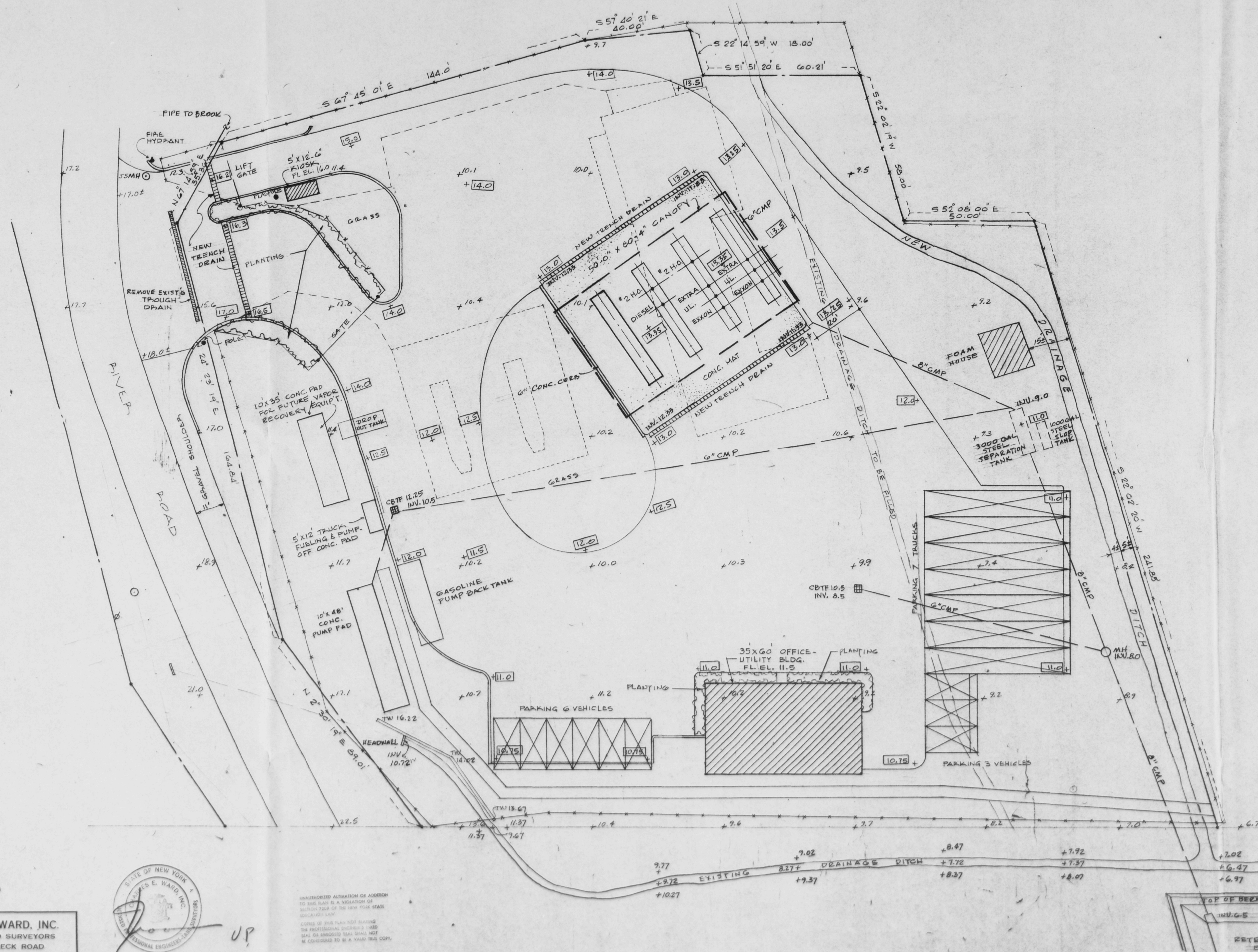
DRAWN BY K.L.S.	DATE 3-22-79
CHECKED BY J.N.	FILE NO. 3053-1-9
SCALE 1"=50'	DWG NO. 2

NEWBURGH TERMINAL
NEW WINDSOR, NEW YORK

Final Site Plan APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON LINE 13, 1979
LAWRENCE JONES
Secretary



REV. 6-1-79
REV. 5-10-79



LEGEND

EXISTING GRADE
PROPOSED GRADE

$$+ 11.0$$

$$+ \boxed{11.0}$$

CHARLES E. WARD, INC.
ENGINEERS AND SURVEYORS
171 GREAT NECK ROAD
GREAT NECK, NEW YORK 11021

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WHICH IT WAS INTENDED

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TO THIS PLAN IS A VIOLATION OF
SECTION 7209 OF THE NEW YORK STATE
EDUCATION LAW.

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THE PROFESSIONAL ENGINEER'S FIXED
SEAL OR EMBOSSED SEAL SHALL NOT
BE CONSIDERED TO BE A VALID TRUE COPY.

EXXON COMPANY, U.S.A.
A DIVISION OF EXXON CORPORATION
NORTHEASTERN REGION
HUTCHINSON RIVER PARKWAY PELHAM, N. Y. 10803

PLOT PLAN

DRAWN BY	A. SHOUKRY
CHECKED BY	
SCALE	1" = 20'-0"

NEWBURGH TERMINAL
NEW WINDSOR NEW YORK

DATE	2-15-79
FILE NO.	3053-1-9
DWG. NO.	

FINAL SITE PLAN APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON JUNE 13, 1979
BY Lawrence Jones
LAWRENCE JONES
Secretary

